

District III Advisory Board Minutes

May 3, 2006

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The District III Advisory Board meeting was held at 7:00 p.m. at the Wichita WATER Center at 101 E Pawnee. The District III City Council member, Jim Skelton and ten (10) District Advisory Board members were in attendance. Twelve (12) city staff was present and approximately nineteen (19) members of the public, most of whom signed in.

Members Present

Dewayne Kitchen
Matt Foley
Teresa Cook
Charlotte Foster
Gerry Myers
Jim Gulick
John Kemp
Judy Dillard
William Ward
Jesse Sheffield
Council Member Jim Skelton

*Youth Representatives

Members Absent

Joann Hartig
Danny Harshbarger*

Staff Present

Mark Manning, Finance
Jay Newton, Finance
Bill Longnecker, Planning
Don Henry, Environmental Services
Kay Johnson, Environmental Services
Officer Dwain Diehl, Patrol South
Officer Darlene Zerr, Patrol East
Chief Williams, Police
Officer Sara Voyles, Patrol South
Officer Inkelaar, Patrol South
Courtney Fleetwood, City Manager's Office
LaShonda Porter, Neighborhood Assistant

Guests

Listed on the last page

ORDER OF BUSINESS

CALL TO ORDER

Council Member Skelton called the meeting to order at 7:05 p.m.

APPROVAL OF MINUTES

The minutes from the April 5, 2006 meeting were approved unanimously, with one correction to page 3 – action shown as 10:0, however should have been 8:2. Motion approved **(10:0)**

Council Member Skelton advised that the minutes from February 1, 2006 also needed a correction. A clarification statement was submitted by Randy Sparkman, and should be inserted into the minutes as an addendum. Motion passed **(10:0)**

PUBLIC AGENDA

1. Scheduled items

No items were submitted.

NEW BUSINESS

2. Community Police Report

Officer Dwain Diehl, Beat 24 – Patrol South, advised that the Habitat of Humanity completed the new house at 1927 Palisade. He also advised that 2 new houses would be built in the 1900 and 2000 block soon. This was great news for the community.

He also provided a ‘Citizen Alert’ in regards burglaries to vehicles. These occur when items of value are left unattended and in plain view inside the residents vehicle. Some items commonly taken are radar detectors, stereo equipment, and purses and checkbooks. **Officer Diehl** expressed the importance of NOT leaving valuables in the car for any reason! He asked that citizens please call 911 immediately if anything looks suspicious, no matter how small it may seem.

Officer Diehl discussed the process for notifying the police about gang graffiti. He advised citizens to (1) notify the police of the area and the content of the graffiti; (2) if you are the owner of the property, proceed to remove the graffiti; however, if you are not able to remove the graffiti to contact the City of Wichita and they will come out FREE of charge and remove the graffiti. The City of Wichita could take 1-2 weeks to have the graffiti removed. He also mentioned that the Police would sometimes come by and spray the graffiti with a solid color, to remove the message from the site so that other gang members do not get the message.

Officer Diehl also expressed that there is an increase in residential and non-residential burglaries in the area. He advised that citizens can have someone from Crime Prevention come out and perform a Home Security Survey, which helps citizens identify ways to make their homes more secure. This service is provided FREE of charge as well. Also, you can notify the police when you are going to be out of town and they will complete an extra watch form, so that the Officer(s) for that beat can patrol the neighborhood and light up the house just to check and make sure things look okay.

CM Skelton thanked **Officer Diehl** for his report.

Officer Darlene Zerr, Beat 35 – Patrol East, on Saturday Patrol East completed 400 Hilltop surveys, and plan to complete the other 400 this weekend. She also provided a copy of the new magnets that were created by Patrol North, which identifies all of the substation numbers as well as other contacts for the City of Wichita.

Officer Zerr discussed the new Community Guide that has been developed. This guide is available to all citizens at the Patrol East substation, but will be at the other substations shortly.

Officer Zerr then opened the floor to questions.

Matt Foley had a question for Chief Williams in regards to the approach the Wichita Police will take since the ruling came down in regards to the racial profiling case.

Chief Williams advised that Wichita Police would not change the way they serviced the citizens of Wichita. He stated the primary principal for the Wichita police is to be proactive, and they will continue to use that as their focus. He stated that the Wichita police is here to provide a service to the citizens and they will continue to do some in a proactive manner.

Charlotte Foster asked **Officer Zerr** if she had found out any information about alleged drug trafficking near the Snip and Clip. **Officer Zerr** advised that it is currently being reviewed and when she had more information to share she would be in touch.

CM Skelton thanked **Officer Zerr** for her report and **Chief Williams** for his professionalism and his leadership, and willingness to make himself available for questions.

Officer Sara Voyles and Officer Inkelaar – 29 Beat, Patrol South, also reiterated that citizen could call Crime Prevention for a FREE Home Security Survey, as they also are seeing an increase in burglaries.

They also are seeing that citizens air conditioning units are being stolen, as the price of scrap metal has increased.

Citizens should be aware that garages are also being broken into, and they she should ensure that whenever they are not in the garage that the facility has been properly locked. The garage should be locked even if you have to go into your home for just a few minutes.

CM Skelton thanked both **Officer Voyles** and **Officer Inkelaar** for their report.

Action Taken: Received and file.

3. Joyland

CM Skelton spoke with Robert Bernard and he advised that he had to leave town due to an emergency, so he would not be able to attend. However, he did send Heather Hanson if there were any general questions. The item was motioned for deferral for 30 days.

Action Taken: Deferred to the next DAB meeting. Motion passed (Kemp:Foley, 10-0)

4. Update on Budgetary Process for 2007 Budget

Mark Manning, Finance, presented information on how The City of Wichita is transforming the budget process. The new process is designed to make the implications of budgetary decisions more understandable to policymakers and citizens alike. The 2007 budget will be prepared under a process entitled “Managing for Results.” On March 7, 2006, the City Council approved five board goal areas regarding what is important for our community. These are:

1. Safe and Secure Community
2. Economic Vitality and Affordable Living
3. Efficient Infrastructure
4. Quality of Life
5. Core Area & Neighborhoods

Using this model, the City budget can be allocated to goal areas based on broad City Council priorities, then strategies and service plans will be developed on how best to achieve results in each goal area, then funding allocation can be made based on which results (or services) matter the most. He also mentioned that our city had one of the lowest costs of government. We ranked 46th out of 50 cities.

Mark explained the timeline of how the budget will proceed for the remaining of the year:
August, the budget will go to City Council for adoption.
September – November, Finance will create a scorecard to evaluate our results.
December, Finance will retreat with the City Council to discuss the performance results as well get guidance on how to start the process for the next year budget year 2008-2009.

Jim Gulick wanted to understand where we ranked in population. **Mark Manning** indicated that we may be around 47th –49th out of the 50 cities, but we must understand that this is a per capita measure. He also stated that we must measure the results of our performance to determine how the process is working.

Jim Gulick also stated that City Council passed a motion for 1 mill levy for the next 4 years, is that included in this evaluation? **Mark Manning** stated that yes it was. **Jim** then questioned what happens if it does not work? **Mark** advised that the City Council has the ability to rescind their motion if the resolution is not satisfactory. **Jim** then questioned are there other mil levies like this? **Mark** advised that he was only aware of the Debt service fund.

William Ward, what if we asked the Police and Fire department what could you do with a \$105 mil, what does that do to the budgeting process? **Mark Manning** advised that the City Council would have to prioritize what the budget will cover.

Judy Dillard, does the budget process include sewer and water? **Mark Manning**, yes it does.

Charlotte Foster questioned whether it is a large group or influential people that influence the City Council decision? **CM Skelton** stated that **Mark** does not have the resources to answer that question.

Charlotte Foster, are the Police allocated according to where the crimes are committed? **Chief Williams**, there are several items that go into this process, we look at our call loads, types of calls we receive, population to determine how the police are allocated, to determine how the Police are allocated.

Matt Foley, is both State and Federal government moving into this direction with the budget process? **Mark Manning**, not sure if most, but we actually are looking at other cities that have been successful in this process to model our budget process. We have mainly look at South Carolina. **Matt**, will this new process create more paperwork and additional man-hours for staff? **Mark**, this may increase additional man-hours but in order for us to measure our performance this is something we must do.

John Kemp, when will this come back to the DAB? **Mark Manning**, we will have the final numbers available around July 7, 2006, however, that is after your DAB so I'm not sure of the best date. **John**, I would be willing to call a special DAB for that month. **CM Skelton**, wanted to know if this is a brand new budget process for the City Council? **Mark Manning**, yes, and we will identify items that are discretionary and non-discretionary for the Council when we present.

CM Skelton thanked **Mark Manning** for his report.

Action Taken: Receive and file.

5. CON 2006-00014

Bill Longnecker, Planning, the applicants are requesting a conditional use permit to allow a bed and breakfast inn to be operated at their residence at 1500 East 63rd Street South. The lot is 4.35 acres and is located on the north side of 63rd Street about 200 feet west of Hydraulic.

According to the Unified Zoning Code (UZC), a bed and breakfast is an owner-occupied or manager-occupied residential structure that provides rooms for temporary lodging or lodging and meals for not more than 15 transient guests on a paying basis. A transient guest is a person who occupies a room for a period of less than one week at a time.

The surrounding properties are predominately residentially zoned either SF-5 Single family or RR Rural Residential and used for residential and agricultural purposes. However, the adjacent property to the east, which fronts on Hydraulic, is zoned GC (general commercial) with warehouse/storage land use. The northeast corner of 63rd Street and Hydraulic is zoned LC (limited commercial), but is currently vacant.

The existing house is two stories with five bedrooms and four bathrooms. The applicant's family occupies two of the existing bedrooms and the intent is that the conditional use would occupy only two of the additional bedrooms. The proposed use would be no more intense than if the applicant had additional family members occupying the extra bedrooms.

The Wichita Environmental Services Department has serious concerns regarding the ability of the septic system to adequately service the proposed bed and breakfast use. Environmental Services staff cites a past septic system failure at this location as a cause of concern. Two factors exacerbate the problem. First, site development, such as the driveway, hampers the functionality of the septic system. Second, shallow groundwater in the vicinity, particularly given the site's adjacency to Spray Lake, is a cause for environmental concern. The Environmental Services Department recommends strictly limiting the intensity of use until either: municipal sewer service is available to the property; the applicant installs an adequate septic system as approved; or, until the applicant receives approval for the existing septic system.

Staff recommends approval of the zoning change subject to the conditions listed in the staff report. The most significant condition is listed on page 3, item 2, and reads as follows:

2. The applicant shall obtain written approval from the City of Wichita Environmental Services Department certifying that the septic system will adequately service the proposed bed and breakfast use; or, the applicant shall connect to municipal sewer services. The applicant shall provide MAPD a copy of the approval or proof of municipal sewer service prior to the commencement of any bed and breakfast business.

Bill Longnecker opened the discussion for questions.

Terry Stats, 1430 E. 63rd Street South, is opposed to the bed and breakfast. He has concerns with the environmental issues as well as the septic failure. He believes there will also be some safety issues, as this will bring strangers to the community. He also stated that there is a community lake for residents only and this will bring additional use to the lake and preferred that the use remained for residents only.

Marvin Stethen, 1100 E. 63rd Street South, is opposed to the bed and breakfast. He indicated that there is a private covenant that stipulates that the property can only be used for its original intended purpose.

CM Skelton asked **Bill Longnecker** have we reviewed the covenant and what are the legal ramifications of the covenant. **Bill** advised that the covenant has been reviewed and that it is a private covenant. The legal ramifications are that a civil suit could be filed with the individuals who have signed the covenant and the applicant who is breaking the covenant.

Annette Lowe, 5540 S. Mosley Court, is concerned that there will be a liability issue as well as the bed and breakfast will devalue the surrounding properties. Wants to understand what liabilities will this place on the homeowners? **Bill Longnecker** advised that he would have to defer back to legal to get an accurate answer. **CM Skelton** then advised that the citizens who have a concern should attend all the hearings in regards to this zoning case, as this was only the first hearing. The next hearing will be with the MAPC tomorrow, May 4, 2006 at 9:00 a.m.

Trish Bajaj, 1326 E. 63rd Street South, is concerned with safety issues, strangers walking around the lake and declined property values. She also wanted to know if this would affect the property taxes? **CM Skelton** advised that we do not have the resources to answer such a question, to send him an email or give him a call to discuss further.

Matt Foley, wanted to know if this was a newly developed property? **Bill Longnecker** advised that all of the housing is fairly the same age. **Matt**, then asked whether municipal sewer service was available in the area? **Bill**, not at this time, and probably would not be available for a while.

Derk Brittain, 1300 E. 63rd Street South, is concerned with the liability they will have because of the lake. He also mentioned that that applicant has broken other covenants, such as raising livestock and they have ignored those, but this is the limit.

Jim Bebe, 1212 E. 63rd Street South, advised that the applicant intentions are greater than just having a bed and breakfast. The applicant also intends to cater events such as baby showers and wedding showers for 30-40 people. Where will all these cars park? How can we regulate the other activities they plan to do? **Bill Longnecker** advised that he was not

aware of those activities, and some of the activities would require a zoning change and permits before he could proceed.

Dewayne Kitchen, is the applicant here tonight? Citizens responded no. **Ms. Castleberry** applicants mother in law advised that the applicant could not be in attendance due to his daughter being hospitalized.

Charlotte Foster, are there any other residents concerned about the septic system? Citizens responded we all are.

Matt Foley, is their anyone who supports the project for the bed and breakfast besides the applicant. Citizens responded, no it is a unanimous decision against the zoning change.

John Kemp, how can staff recommend approval if Environmental Services has not cleared the septic system? **Bill Longnecker** advised that the staff recommended approval with conditions; page 3 items 2 specifically indicate that applicant cannot proceed without written approval from the City of Wichita.

CM Skelton at this time recognized **Kay Johnson, Environmental Services**, and she explained that are taking a close look at this zoning case to ensure that there are no environmental hazards before approving the case. She also advised that they would not give them permission if the system were not adequate. The applicant has been informed that they could not proceed without Environmental Services approval.

Action Taken: The Board voted 10:0 to recommend denial of the request.

6. **ZON 2006-00021**

Bill Longnecker, Planning, the applicant is proposing rezoning to allow for the expansion of the eastern abutting, “LC” zoned Dillon grocery store, located on northwest corner of Edgemoor Avenue and Harry Street. The rezoning would remove the last residential zoning in the Harry Street – Parkwood Lane – Boston Avenue – Edgemoor Avenue square block, thus zoning all the property within the block “LC”.

The staff recommends approval of the rezoning case, with provisions of the PO (protective overlay) 174 as noted in the staff report on page 4. The staff indicates that the zoning request is appropriate and offers redevelopment and expansion of the eastern abutting Dillon grocery store, which serves the area’s local residences. The site is currently developed as part of the area’s large grouping of early 1950’s built rental property, typically developed as four-plexus and three plexus. Opportunities for redevelopment of these rental properties appear to be limited. **Bill** opens the floor to any questions.

Kara Martin, Applicant, presented pictures of the current and extended facility, as well noting that she agreed with the staff recommendations.

Jim Gulick wanted to know if they intended to include a gas station with this expansion? **Kara Martin** advised that was not apart of the plan at this time, but maybe in the future.

Elana Ingle, 3608 Meadow Lane, is concerned with the parking. She described that parents are currently parking in the Dillon’s lot when they are picking up there children and

feels this expansion may cause a safety issue. She wanted to know if Dillon's could put up some type of barrier to eliminate this concern. **Kara Martin**, thinks that this is something they would be able to do, but needs to discuss in further details with the owners.

Tracey Tucker, 1510 Parkwood, is concerned with when this will take place and how soon the tenants of the apartment building will be notified. **Kara Martin**, advised that the new store plans to open in 3rd Quarter 2007, and the preparation will probably begin 9-10 months before the opening.

Tracey then wanted to understand when Dillon's would take over the management of the apartment building. **Jay D** explained that the residents would receive notification in ample time to find another place of residence. **Tracey** expressed a concern with only receiving a 30-day notice as that is not ample time to relocate in her opinion.

Judy Dillard, questioned whether or not anyone new how many apartments were occupied. **Tracey** responded that all of them are occupied with the exception of one.

John Kemp, stated that he is in favor of Dillon's expanding, however, objects to just putting people out. He feels that Dillon's needs to make a joint effort with the current property managers to keep the tenants informed.

Action Taken: The Board voted 10:0 to recommend approval of the request with the conditions recommended in the staff report.

BOARD AGENDA

7. Updates, Issues and Reports

Council Member Skelton asked for updates, issues, and reports from the Board. The following information was provided:

William Ward, Meadowlark Neighborhood Association, spoke about the success of the Neighborhood Cleanup they had.

Jim Gulick, Grandview Heights Neighborhood Association, advised that he is working with the Police department to have illegally parked cars, and inoperable cars to be issued a notice, which they have done already, but they will come back in late May to possibly issue tickets, if the problem still exist.

John Kemp, K-15 Neighborhood Association, will have a neighborhood cleanup on July 1st. They have also had some positive meetings with Joy land. He also talked about the meeting with City Council on the needed fire station. He is asking that more citizens come out to support his efforts. He wants the community to join together, get involved, and support the needs of the community.

Judy Dillard, South Area Neighborhood Association, we are continually updating the South Wichita Haysville plan, which is inclusive of District IV, **CM Paul Gray**. The latest issue that they have been dealing with is the 47th Street Bridge. The City and State are not in agreement with the changes, so we have decided to have a meeting – June 15th that is inclusive of City staff, and the legislatures of the area. **CM Skelton** noted that we must work in conjunction with the State, so that we can see results, and try developing a synergy.

Teresa Cook, South Central Progressive Neighborhood Association, invited and encouraged everyone to attend the City Council meeting on May 9th; they will be discussing the Improvement Alliance Plan. She also invited everyone out to the County Commissioner meeting on May 10th; they will be discussing the 25 Year Plan. Both of the meetings will take place at 9:00 a.m. There will also be River Clean Up this weekend from 9a.m. – 3p.m., meeting points are at Lawrence Dupont Stadium and Exploration Place. She would also like to see if the DAB could have a tour of the Sedgwick Juvenile Facility, **LaShonda Porter** will coordinate the event.

Dewayne Kitchen, Planeview Neighborhood Association, advised that the community is very concerned with the burglaries in the area. Officer Gerald held a meeting at Colvin to discuss with the community and there was a turn out of about 50 citizens. The community is now coming together to light up the area, by installing more lights and leaving porch lights on at night. Planeview Neighborhood Association is also struggling with membership; hope to have a membership drive during the summer. There is still a concern with the loose sand at 31st and K-15, not safe as you are sliding in the sand when trying to slow down. Also, we need to get railroad crossing signals and bars at the railroad tracks, as **Dewayne** saw a car get hit by a train today. **CM Skelton**, is discussing with Cornejo and Cornejo has agreed to dedicate the land to the City so that the crossing signals are added. **LaShonda Porter**, will setup a meeting with **CM Skelton** and **John Schlegel** to determine where they are in the process.

Gerry Myers, Mead Neighborhood Association, they are trying to see if Officer White can be a permanent Officer for the area and not temporary. Also, trying to get the residents to become acquainted with their neighbors.

Charlotte Foster, Fabrique Neighborhood Association, there will be a cleanup this Saturday, May 6, 2006. Police are providing great assistance with decreasing the amount of illegally parked cars as well as truancy.

Jesse Sheffield, South City Neighborhood Association, next Neighborhood Association meeting will be held on Thursday, May 11, 2006.

CM Skelton provided an update on the Hill Top area. This area is probably one of the most distressed areas in the district. After discussion, it has been decided to allocate the remaining funds from CDBG to Hill Top for sidewalk construction. **LaShonda Porter**, will follow up with Mark Kay to determine when the construction will begin.

Matt Foley also requested that Terrace be the first street that light improvements are completed on. He advised that Paul Gunzelman and Kathy Cutsinger did an observation to see how dark the area was. **CM Skelton**, wanted to know when would be the best time to contact **Kathy Cutsinger** to discuss. She is available after 11:00 p.m. or Tuesday's and Friday's @ 685-6241.

CM Skelton also discussed making some revisions to the revitalization plan for Hilltop. He plans to meet with **John Schlegel** within the next 30 days. After his meeting, he will then put together a steering committee for this process. **Matt Foley**, has a concern with other constituent coming into the community voicing their opinions for their own financial gains.

CM Skelton advised that we need to put more thought and consideration into the changes before we come to any conclusions.

CM Skelton then invited **Kay Johnson**, to discuss the Cornejo issue.

Kay Johnson explained that Environmental Services are interested in seeing the protective overlay in place for that area. A meeting is scheduled with Cornejo in the near future to discuss. Currently the biggest complaint appears to be the nuisance issues.

Jesse Sheffield, how many asphalt plants are there? **Kay Johnson**, there is only 1 now, but since the protective overlay was dropped, there would not be any limitations on the number of asphalt's Cornejo could maintain. **CM Skelton**, Jesse the only way the neighborhood would support Cornejo is if the protective overlay was still in place? **Jesse**, that is correct. **Bill Longnecker**, advised that May 4, 2006 would be the last day for citizen's to submit a protest petition.

CM Skelton, also discussed the following events:

- **Garvey Park Dedication**, 3501 S. Washington, Saturday, June 10th @ 10:00 a.m.
- **Constituent Lunch**, Furr's Family Dining, 1606 S. Georgetown, Saturday, June 10th @ 11:00 a.m. Special Guest: Police-Special Operations Air Section

He also proposed a social activity for DAB members, as well as any citizens who would like to participate. The suggestion was to having an activity at Joyland in June. **LaShonda Porter** will coordinate the activity and send an e-mail with some dates and details.

8. Adjournment

The next regularly scheduled meeting for District Advisory Board III will be held June 7, 2006 at the Water Center 101 E. Pawnee at 7:00 p.m.

With no further business, the meeting adjourned at 9:45 p.m.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant – District II

Guests

Derk Brittain	1300 E. 63 rd St. South
Howard McCoy	2356 S. Terrace
Judy Bennett	1709 E. 48 th Street
Claudia Lee	2826 S. Greenwood
Lynda Norotne	1209 Jump
Grant Tideman	150 N. Market
Heather Hanson	2801 S. Hillside

Marvin Stethen	1100 E. 63 rd St
Dan Pickard	2928 Dunham
Donna Thorton	2714 Southfork
Tom & Betty Strickland	1302 Galena
John Sax	2719 Conamore
Tracy Tucker	1510 S Parkwood
Shirlet Crabtree	1516 S. Parkwood
Bill & Goldie Barnes	2705 S. Hillside
Elena Ingle	3608 Meadow Lane
Darren Lipford	Hutchinson, Kansas